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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,431	06/06/2001	Alex Ka Tim Poon	NRCAP003	3400
26541	7590	11/09/2004	EXAMINER	
RITTER, LANG & KAPLAN 12930 SARATOGA AE. SUITE D1 SARATOGA, CA 95070			BROWN, KHALED	
			ART UNIT	PAPER NUMBER
			2877	

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/876,431

Applicant(s)

POON ET AL.

Examiner

Khaled Brown

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-13, 39-48 and 50-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 11-13 and 47 is/are allowed.
- 6) ☒ Claim(s) 39-46, 48 and 50-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10-1-04 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 48 and 50-52 are rejected under 35 U.S.C. 102(b) as being anticipated by Doran et al (US 5585629).

Re clms 48,50 : Doran et al discloses a stage apparatus comprising: a first stage assembly (Doran et al 32), a first actuator (Col 3 lines 32-34), a second stage assembly (Doran et al 30) and a second electromagnetic actuator (100).

Re clm 51: a third actuator (Doran et al Col 6 line 51) is disclosed.

Re clm 52: a fine actuator (Doran Col 6 lines 54-56)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 39-46 are still rejected under 35 U.S.C. 103(a) as being unpatentable over Doran et al (US 5585629) in view of Toshiya Asano (JP 2000223410).

Re clms 39,40: Doran et al discloses a scanning exposure apparatus (Fig 3) comprising: a first stage (Doran et al 32), a first driving device (Col 3 lines 32-34), a second stage or surface (Doran et al 30), a second driving device (100, Col 3 lines 51-55 and Col 6 line 51). However, Doran et al does not disclose an actuator disposed between the first stage and the second stage as claimed. Toshiya Asano teaches (Section 0030) that actuators disposed between a first stage and a second stage (37) can be used to contact first and second stages in a scanning exposure apparatus in order to prevent deformation (Section 0006) of a wafer being scanned. Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use actuators disposed between the first stage and the second stage to connect first and second stages as taught by Toshiya Asano because it would prevent deformation of a wafer being scanned.

Re clms 41,42: a device (Doran et al 22).

Re clms 43-46: The limitations of the method claims 43-46 can be performed by the combination system of Doran et al and Toshiya Asano as disclosed above.

Allowable Subject Matter

Claims 1-9,11-13 and 47 are allowed.

The following is an examiner's statement of reasons for allowance: the prior art of record does not disclose or suggest "to substantially push the second stage" or "the first coupler in a first state to provide substantially rigid coupling...and the second coupler is in a second state to enable ..minimal vibrations" all in conjunction with the rest of the claimed subject matter. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments filed 10-1-04 have been fully considered but they are not persuasive. The applicant argues that the applicant did not admit in the Amendment filed 7-16-02 that two couplers were needed to perform scanning. However the applicant did admit in the Amendment filed 7-16-02 that two couplers were needed to perform scanning when the applicant stated "The use of two couplers allows scanning...." which was a general statement by the applicant that in order for scanning to take place two couplers are needed (Amendment filed 7-16-02 p. 5 line 14-15). For any other arguments see the above rejections.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yuan et al 6260282 and Yuan et al 6008610.

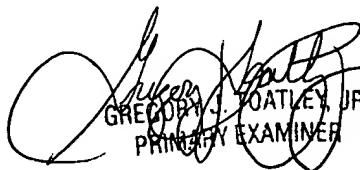
Note: No IDS was submitted with the 10-1-04 submission.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khaled Brown whose telephone number is 571-272-2411. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J Toatley Jr. can be reached on 571-272-2800 Ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB
November 1, 2004


GREGORY J. TOATLEY, JR.
PRIMARY EXAMINER SPE2877